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Domenico Fanara

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EXAMINER

THOMAS, TIMOTHY P

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continuation of Substance of Interview including description of the general nature of what was discussed: Mr. Greenfield had indicated to the Examiner that the limitation of the MP+PP amounts would be authorized to the range of 0.375-1mg/mL, for which the Examiner had indicated a meeting with supervisors would be held, although the claims are still not considered to be patentable, at least because the addition of a third preservative would not provide an unexpected antimicrobial solution. On 1/13/2010, the Examiner informed Mr. Greenfield that problems with the claims that still remain, based on the teaching of Doron, lead to amounts below 1 mg/mL as expected to be antimicrobial, such as when a third antimicrobial agent is present; that the results of the specification are not directly comparable to Doron, which considers other bacteria from what is tested in the specification, and the claims are not commensurate in scope with the data disclosed. Mr. Greenfield was informed that an Office Action with a new rejection that includes Doron would be mailed .